

### **REMARKS**

This responds to the Final Office Action dated May 12, 2010.

Claims 1 and 8 are amended; claims 3-5, 7, 9, 11, and 16-30 were previously canceled, without prejudice to or disclaimer by the Applicant; as a result, claims 1-2, 6, 8, 10, and 12-15 are now pending in this application.

#### *The Rejection of Claims Under § 112*

Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has corrected the antecedent basis issue with respect to the usage of “the proxy,” which has been properly changed to “the proxy server;” as such, this rejection is now a moot point.

#### *The Rejection of Claims Under § 103*

Claims 1-2, 6, 8, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Subramaniam et al. (US Patent: 6,081,900) in view of Barton et al. (US 2003/0131259 A1) further in view of Bazot et al. (US 2004/0073629 A1). Obviousness requires that each and every element be taught or suggested in the proposed combination of references.

The Examiner has relied on Barton for teaching a custom warning message being reported to the client within the content. The scan code of Barton is not an event for having removed references and is not supplied with vended content. Moreover, the specialized webpage is not content requested by the client in Barton.

Applicant has rephrased this element of claim 1 and 8 to now clearly distinguish over the interpretation taken by the Examiner with respect to the Barton reference. Applicant believes this eliminates any confusion and now renders the claims pending allowable.

Applicant also asserts that the other claims do not show these elements; as such, the rejections of record should be withdrawn and the pending claims allowed. Applicant respectfully requests an indication of the same.

Claims 10, 12, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Subramaniam et al. in view of Barton et al., further in view of Bazot et al. and further in view of “Netscape Proxy Server Administrator’s Guide Version 3.5 for Unix,” (1997). In view of the amendments and remarks presented above with respect to the independent claims, this rejection should be withdrawn. Applicant respectfully requests an indication of the same from the learned Examiner.

### **Reservation of Rights**

In the interest of clarity and brevity, Applicant may not have equally addressed every assertion made in the Office Action, however, this does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record is relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone the undersigned at (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402--0938  
(513) 942-0224

Date 07-30-2010

By / Joseph P. Mehrle /  
Joseph P. Mehrle  
Reg. No. 45,535